

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ERIC ARONSON,

Plaintiff,

- against -

INTERCONTINENTAL INVESTIGATIONS,
et al.,

Defendants.
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**MEMORANDUM
AND ORDER**

06 CV 1239 (JG)

By letter dated October 18, 2007, plaintiff moves for an Order of contempt based on certain alleged communications by defendant Vincent Parco in violation of the Court's October 12, 2007 Order directing the parties "to refrain from contacting each other and any business associates of the other" pending the next Court conference. (Minute Entry of October 12, 2007 ("Order")). Defendant Parco, by letter dated October 26, 2007, opposes plaintiff's motion and disputes that his actions violated the Order, asserting that the disputed communications were made before his counsel was able to inform him of the Order. (Def.'s Oct. 26, 2007 Letter at 1-3).

Plaintiff's letter response, dated October 31, 2007, contains new information in support of its allegation that Mr. Parco violated the Order after being made aware of it. On November 6, 2007, defendant moved for leave to file a sur-reply to plaintiff's October 31st letter, or in the alternative, to strike the new information contained in that letter.

A hearing on the motion is currently scheduled for November 20, 2007. At that hearing, defendant will be free to address any of the new information brought forth by plaintiff. A written sur-reply is thus unnecessary, and defendant's motion for leave to file a sur-reply is denied.

SO ORDERED.

Dated: Brooklyn, New York
November 7, 2007


CHERYL L. POLLAK
United States Magistrate Judge